

**Montana Department  
of  
Fish, Wildlife & Parks**



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FAX: 406-257-0349  
Ref:DV075.95  
September 6, 1994

Mr. & Mrs. Michael B. Krueger  
4155 W. Kootenai Road  
Rexford, MT 59930

Dear Mr. & Mrs. Krueger:

Fish, Wildlife & Parks (FWP) completed its review of your application for a Game Bird Shooting Preserve and Game Bird Farm license and the environmental review process. You are hereby notified that FWP has decided to grant you the Game Bird Shooting Preserve and Game Bird Farm license.

A copy of the Final Environmental Assessment is enclosed. You will be receiving your license from Helena.

If you have any questions, please do not hesitate to call.

Sincerely,

Dan Vincent  
Regional Supervisor

/nb

PLEASE RETURN



**Environmental Assessment  
For Game Bird Shooting Preserve License  
and  
Game Bird Farm License**

**PART I. GAME BIRD SHOOTING PRESERVE LICENSE AND GAME  
BIRD FARM LICENSE APPLICATION**

The department's authority to regulate shooting preserves and game bird farms is contained in sections 87-4-501 through 87-4-528 and sections 87-4-901 through 87-4-916, respectively, MCA and ARM 12.6.1201 through 12.6.1202 and 12.6.1601 through 12.6.1604, respectively.

1. Name of Project: Michael B./Elaine A. Krueger
2. Name, Address and Phone Number of Applicant: 4135 W. Kootenai Road, Rexford, MT 59930 - phone (406) 889-3297

3. If Applicable:

Estimated Construction/Commencement Date: upon approval

Estimated Completion Date: see project plan

Is this an application for expansion of existing facility or is a future expansion contemplated?   

4. Location Affected by Proposed Action (county, range and township)  
See proposed plan and map. Lincoln County, Sec 14, T37N, R28W

5. Project Size: Estimate the number of acres that would be directly affected that are currently:

(a) Developed:  
Residential..... 20 acres  
Industrial.....        acres

(b) Open Space/Woodlands/  
Areas.....        acres  
1 Single family dwelling

(c) Wetlands/Riparian  
Areas.....        acres(d)

Floodplain.....        acres

(e) Productive:  
Irrigated cropland.... 100 acres  
Dry cropland.....        acres  
Forestry..... 105 acres  
Rangeland..... 35 acres

(f) Other.....        acres

6. Map/site plan: See Appendix B. Map provided
7. Narrative Summary of the Proposed Action or Project including the Benefits and Purpose of the Proposed Action.

Game Bird Shooting Preserve and Game Bird Farm to provide public commercial shooting of ring-neck pheasant and chuckar partridge on a portion of the West Kootenai Bench. To create additional hunting opportunity and supplement small ranch income.

8. Listing of any other Local, State or Federal agency that has overlapping or additional jurisdiction.

(a) Permits:

Agency Name: \_\_\_\_\_ Permit: \_\_\_\_\_ Date Filed/#: \_\_\_\_\_

(b) Funding:

Agency Name: \_\_\_\_\_ Funding Amount: \_\_\_\_\_

(c) Other Overlapping or Additional Jurisdictional Responsibilities:

Agency Name: \_\_\_\_\_ Type of Responsibility: \_\_\_\_\_

9. List of Agencies Consulted During Preparation of the EA:



PART II. ENVIRONMENTAL REVIEW

A. Evaluation of the Impacts of the Proposed Action Including Secondary and Cumulative Impacts on the Physical and Human Environment:

PHYSICAL ENVIRONMENT

1. LAND RESOURCES	IMPACTS				Can Impacts Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant *		
Will the proposed action result in:						
a. Soil instability or changes in geologic substructure?		x				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil which would reduce productivity or fertility?		x				
c. Destruction, covering or modification of any unique geologic or physical features?		x				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		x				
e. Other: _						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

PHYSICAL ENVIRONMENT

2. AIR	IMPACTS				Can Impacts Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant *		
Will the proposed action result in:						
a. Emission of air pollutants or deterioration of ambient air quality?		x				
b. Creation of objectionable odors?		x				
c. Other: _						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Air Resources (Attach additional pages of narrative if needed):

\*Include an attachment with a narrative explanation describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

**PHYSICAL ENVIRONMENT** (continued)

3. <u>WATER</u> Will the proposed action result in:	IMPACTS				Can Impacts Be Mitigated *	Comm Index
	Unknown*	None	Minor*	Potentially Significant*		
a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen, turbidity or pathogens?		x				
b. Changes in drainage patterns or the rate and amount of surface runoff?		x				
c. Alteration of the course or magnitude of flood water or other flows?		x				
d. Changes in the amount of surface water in any water body or creation of a new water body?		x				
e. Exposure of people or property to water related hazards such as flooding?		x				
f. Changes in the quality of groundwater?		x				
g. Changes in the quantity of groundwater?		x				
h. Increase in the risk of contamination of surface or groundwater?		x				
i. Violation of the Montana Non Degradation Statute?		x				
j. Effects on any existing water right or reservation?		x				
k. Effects on other water users as a result of any alteration in surface or groundwater quality?		x				
l. Effects on other users as a result of any alteration in surface or groundwater quantity?		x				
m. Other: _____						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Air Resources (Attach additional pages of narrative if needed):

4. <u>VEGETATION</u>  Will the proposed action result in:	IMPACT				Can Impacts Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant*		
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?		x				
b. Alteration of a plant community?		x				
c. Adverse effects on any unique, rare, threatened, or endangered plant species?		x				
d. Reduction in acreage or productivity of any agricultural land?		x				
e. Establishment or spread of noxious weeds?		x				
f. Other: _____						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Vegetation Resources (Attach additional pages of narrative if needed):



PHYSICAL ENVIRONMENT (continued)

5. FISH/WILDLIFE	POTENTIAL FOR OCCURRENCE				Can Potential Be Reduced?*	Comment Index
	Unknown*	Minimal*	Significant Moderate*	Significant High*		
A. Based on design of the proposed game farm, and physical attributes and wildlife values of the site, what is the potential for any of the following to occur?						
a. Through-the-fence contact between game farm animals and wildlife (consider traditional seasonal habitat use and location of travel routes and migration corridors).		x				
b. Escape of game farm animals - consider site-specific factors that could reduce effectiveness of perimeter fences built to standards outlined in Rule 12.6.1503A (including steepness of terrain, winter snow depths/drifts, susceptibility of fences to flood damage, etc.).	---	not	applicable	---	---	5.A.b.
c. Ingress of wildlife - consider site-specific factors that could reduce effectiveness of perimeter fences (see b.): built to standards outlined in Rule 12.6.1503A, as well as circumstances that could attract wildlife to or into the game farm (traditional seasonal habitat use and location of travel routes and migration corridors).		x				
d. Deterioration of critical wildlife habitat (capability to produce or sustain wildlife populations).		x				
e. Displacement of wildlife from critical habitat(s) as a result of proposed fences or other factors.		x				
f. Creation of barriers to travel routes or seasonal migration corridors used by wildlife populations.		x				
g. Other conditions that may stress wildlife populations, affecting their diversity, abundance or distribution.		x				
h. Changes in the diversity, abundance or distribution of game populations (include redistribution of wildlife from habitats that would be rendered unsuitable or inaccessible because of fencing or other factors).		x				
i. Changes in the diversity, abundance or distribution of nongame populations (include redistribution of wildlife from habitats that would be rendered unsuitable or inaccessible because of fencing or other factors).		x				
j. Adverse effects on any unique, rare, threatened or endangered species, or their habitats.		x				
k. Introduction of any species not presently or historically occurring in the affected area.		x				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Fish/Wildlife Resources (Attach additional pages of narrative if needed):

5.A.b. The intent of the Game Bird Farm and Shooting Preserve is to raise captive ring-necked pheasants and chucker partridge, release these captive reared birds onto the private property of Mr. Krueger, and have paying clients shoot 80 percent of the released birds, allowing 20 percent to escape. Perimeter fencing on Mr. Krueger's property will not prevent pheasants or chuckers from leaving his property. Montana State Law 87-4-523 requires that no more than 80 percent of the birds released can be harvested by clients. If pheasants escape into the wild, as required by law, there is a potential for disease transmission from escaped game farm birds to wild birds. Since there is no resident wild population of pheasants, that is not a problem. There would be an unquantified risk to ruff grouse.

\*Include an attachment with a narrative explanation describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.



5. <u>FISH/WILDLIFE</u> (Continued)  What degree of impact would any of the following (a.-f.) have on wildlife populations associated with the site? For items (a.-f.) that would result in impacts, provide a narrative that describes potential consequences.	IMPACT				Can Impacts Be Mitigated? *	Comment Index
	Unknown *	None	Minor *	Potentially Significant *		
a. Introduction and/or transmission of diseases or parasites to wildlife populations associated with the site.	x					5.B.a.
b. Establishment of feral population(s) of escaped game farm animals.		x				
c. Habitat degradation or competition as a result of feral populations or exclusion of wildlife populations from traditional seasonal habitat (including migration corridors).		x				
d. Hybridization/ genetic pollution of wildlife populations associated with the site.		x				
e. Displacement and/or redistribution of wildlife populations from traditional seasonal habitat (including migration corridors).		x				
f. Other: _						
C. Species potentially significantly impacted: For each wildlife species (or group of species) that would be potentially significantly impacted, state the factor(s) to which the impact(s) are attributed and address the following:						
a. Estimated size of affected wildlife population(s).		x				
b. Year-round distribution of affected wildlife population(s).		x				
c. Characterization of wildlife use (year-round v. seasonal) of the area to be impacted, including reference to any special habitat features.		x				
d. Proportion (%) of the total habitat area that is currently used, that will be enclosed or otherwise impacted.		x				
e. Other: _						

5.B.a. Pheasants and chuckar partridge are not native to the west Kootenai area where resident populations of ruffed, Franklin and blue grouse are indigenous. The potential for disease transmission from introduced birds to native birds is unknown. A remnant native population of Columbian sharp-tailed grouse exists on the Tobacco Plains, north of Eureka, Montana and east across Lake Koocanusa, from the proposed Game Bird Farm/Shooting Preserve. Pheasants are known to parasitize sharptailed grouse nests where the species occur together. The National Wildlife Federation is especially concerned about the Tobacco Plains Columbian sharp-tailed grouse population and recommends in a recent status/conservation report that no exotics (i.e. pheasants) be introduced into the area. Safeguards would be necessary to insure against escaped pheasants from the West Kootenai project area migrating across Lake Koocanusa to the Tobacco Plains area. The best safeguard would be public education to inform the public of the threat should birds be moved by man. It is unlikely that pheasants could migrate on their own because of Lake Koocanusa. Pheasants aren't generally considered strong flyers who would safely cross the lake. Because of the small area of suitable habitat, and the relative lack of winter food (waste grain) the potential for establishment of a wild population is considered very small.

\*Include an attachment with a narrative explanation describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

## HUMAN ENVIRONMENT

6. <u>NOISE EFFECTS</u>  Will the proposed action result in:	IMPACT				Can impacts Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant*		
a. Increases in existing noise levels?			x			6.a.
b. Exposure of people to severe or nuisance noise levels?		x				
c. Other: _						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Noise/Electrical Effects (Attach additional pages of narrative if needed):  
6.a. Proposal will increase shooting activities on the affected area, resulting in diminished values for quietness and solitude that now exist.

## HUMAN ENVIRONMENT (continued)

7. <u>LAND USE</u>  Will the proposed action result in:	IMPACT				Can Impacts Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant*		
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		x				
b. Conflict with a designated wildlife management area, natural area or area of unusual scientific or educational importance?		x				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		x				
d. Conflict with any existing land use that would be adversely affected by the proposed action.		x				
e. Adverse effects on or relocation of residences?		x				
f. Other: _						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Use (Attach additional pages of narrative if needed):

## HUMAN ENVIRONMENT (continued)

8. <u>RISK/HEALTH HAZARDS</u>  Will the proposed action result in:	IMPACT				Can Impacts Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant*		
a. Risk of dispersal of hazardous substances (including, but not limited to chemicals or pathogens) in the event of an accident or other form of disruption?		x				
b. Creation of any hazard or potential hazard to domestic livestock?		x				
c. Creation of any human health hazard or potential hazard?		x				
d. Creation of any safety hazard to nearby dwellings, residents or recreationists as a result of firearms discharge on the premises of the proposed game farm?			x			8.d.
e. Other: _						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Risk/Health Hazards (Attach additional pages of narrative if needed):  
8.d. Discharge of shotguns in the pursuit of and firing at pheasants and chuckars could allow steel shot to fall on the West Kootenai Road which is a public road adjacent to the Krueger property.

\*Include an attachment with a narrative explanation describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.



**HUMAN ENVIRONMENT** (continued)

9. <u>COMMUNITY IMPACTS</u> Will the proposed action result in:	IMPACT				Can Impacts Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant*		
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		x				
b. Alteration of the social structure of a community?		x				
c. Alteration of the level or distribution of employment or community or personal income?		x				
d. Changes in industrial or commercial activity?		x				
e. Changes in historic or traditional recreational use of an area?		x				
f. Changes in existing public benefits provided by affected wildlife populations and wildlife habitats (educational, cultural or historic)?		x				
g. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		x				
h. Other: _						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Community Impacts (Attach additional pages of narrative if needed):

**HUMAN ENVIRONMENT** (continued)

10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u> Will the proposed action:	IMPACT				Can Impacts Be Mitigated	Comment Index
	Unknown*	None	Minor*	Potentially Significant*		
a. Have an effect upon or result in a need for new or altered services provided by FWP and Dept. of Livestock to accomplish regulation of the game farm industry (inspections, animal counts, disease testing and monitoring, tattoo inspections, etc.)			x			10.a.
b. Have an effect upon the local or state tax base and revenues?		x				
c. Result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		x				
d. Other: _						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Public Services/Taxes/Utilities (Attach additional pages of narrative if needed):

10.a. Proposal will require periodic facility inspections by FWP wardens, and may require increased activities by the local warden and sheriff deputies responding to complaints about noise and safety factors around the shooting preserve.



# HUMAN ENVIRONMENT (continued)

11. <u>AESTHETICS/RECREATION</u>  Will the proposed action result in:	IMPACT				Can impacts Be Mitigated *	Comment Index
	Unknown*	None	Minor*	Potentially Significant*		
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		x				
b. Alteration of the aesthetic character of a community or neighborhood?			x			11.b.
c. Changes in the quality or quantity of recreational opportunities and settings?		x				
d. Other: _						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Aesthetics/Recreation (Attach additional pages of narrative if needed):  
 11.b. Public comment received on this proposed project identified increased noise from shooting as an issue. Increased noise from discharge of shotguns may disrupt peace and quiet of nearby neighbors.

# HUMAN ENVIRONMENT (continued)

12. <u>CULTURAL/HISTORICAL RESOURCES</u>  Will the proposed action result in:	IMPACT				Can impacts Be Mitigated *	Comment Index
	Unknown*	None	Minor*	Potentially Significant*		
a. Destruction or alteration of any site, structure or object of prehistoric, historic, or paleontological importance?		x				
b. Physical change that would affect unique cultural or historic values?		x				
c. Effects on existing religious or sacred uses of a site or area?		x				
d. Other: _						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Cultural/Historical Resources (Attach additional pages of narrative if needed):

**SIGNIFICANCE CRITERIA**

13. SUMMARY EVALUATION OF SIGNIFICANCE the proposed action, considered as a whole:	IMPACT				Can Impacts Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant *		
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources which create a significant effect when considered together or in total.)		x				
b. Involve potential risks or adverse effects which are uncertain but extremely hazardous if they were to occur?		x				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		x				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		x				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?			x			13.e,
f. Other: _						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Cultural/Historical Resources (Attach additional pages of narrative if needed):

13.e. Public comment received has been overwhelmingly opposed to the project for noise and safety reasons. Most comments have come from immediate neighbors to the proposed project.

## **PART II. ENVIRONMENTAL REVIEW** (Continued)

Description and analysis of reasonable alternatives (including the no action alternative) to the proposed action whenever alternatives are reasonably available and prudent to consider and a discussion of how the alternatives would be implemented:

A. No Action Alternative - Don't issue licenses.

B. Grant Licenses for project proposed.

3. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:

### **MONTANA CODES ANNOTATED**

1) License to operate shooting preserve	87-4-501
2) Amount of game recoverable	87-4-523
3) Bird license required of hunters	87-4-504
4) Size, location, boundaries, posting	87-4-502
5) Commercial and membership licenses	87-4-505
6) Fees for license and permit	87-4-503
7) Game which may be hunted, stocking	87-4-522
8) Hunting wild game on preserve	87-4-527
9) Inspections by Department	87-4-528
10) Registration of shooters, records	87-4-526
11) Restrictions established by operator	87-4-524
12) Revocation of license, reissuance	87-4-506
13) Rules and regulations	87-4-501
14) Season	87-4-521
13) Tagging of game	87-4-525

### **ADMINISTRATIVE RULES**

Shooting preserve tags	12.6.1201
Game hunted in preserve	12.6.1202

4. Based on the significance criteria evaluated in this EA, is an EIS required? YES / NO If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:

Based upon evaluation of potential impacts related to the proposal, a determination has been made that an EIS is not required. The EA is an appropriate level of analysis because: 1) No endangered or threatened species will be affected; 2) there are no long-term or irretrievable impacts to the physical or human environment.

5. Describe the level of public involvement for this project if any and, given the complexity and the seriousness of the environmental issues associated with the proposed action, is the level of public involvement appropriate under the circumstances?

Notices of the project proposal were mailed to surrounding landowners and listed in the local newspaper. Written comments were requested.



6. Duration of comment period if any: Comment period was from 5/18 - 6/7/94.

7. Name, title, address and phone number of the Person(s) Responsible for Preparing the EA:

Jerry Brown, Wildlife Biologist, 4777 Bobtail Road, Libby, MT 59923 (406) 293-7905

Jim Roberts, Game Warden, 75 Pings Road, Eureka, MT 59917 (406) 889-3404

### PART III. NARRATIVE EVALUATION AND COMMENT

Proposed project would create additional bird hunter opportunity, could create neighborhood conflicts over noise and safety concerns. The West Kootenai is, in general, unsuitable habitat for pheasants and chuckars. The establishment of wild or free-ranging pheasant or chuckar populations is unlikely.

### PART IV. EA CONCLUSION SECTION

1. Based on the significance criteria evaluated in this EA, is an EIS required? NO If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:

Because approval of this permit is not expected to have significant effects on the human environment, an environmental impact statement is not needed.

EA approved

  
Regional Supervisor

9/6/94  
Date

### LITERATURE CITED

Columbian Sharp-tailed Grouse Status Report: National Wildlife Federation Special Report

KRUEGER.EA

September 6, 1994

